PLANNING APPLICATION

COPY

For office use only

H20/0545/02

- 7 MAY 2002

Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR. E. BAILEY,
CHEZ NOUS,
JARVIS GATE,
SUTTON ST. JAMES,
SPALDING.

NAME AND ADDRESS OF AGENT

ARCHITECTURAL DESIGN SERVICES — S. J. THROWER,
3 NEWGATE RD, TYDD ST. GILES
WISBECH, PE13 5LH.
01945 870022

SOUTH HOLLAND DISTRICT COUNCIL
- 7 MAY 2002
RECEIVED

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

ADJACENT TO CHEZ NOUS.

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

PROPOSED PLOT FOR ~~THE~~ BUNGALOW IN CONNECTION WITH EXISTING AGRICULTURAL HOLDING

Please complete

Signed [signature] Date 27/04/02 £220-00

Please tick **one** box and answer the extra questions

2 **TYPE OF APPLICATION**

This is a **full** application for change of use

or This is an **outline** application ✓

Please state Site Area 0.018

Please tick **any** box where you are including details

Site Area Design

Means of Access ✓ Landscape

Now complete Parts 3 and 5 and an Ownership Certificate

or This is a **reserved matters** application

A. Please state Reference Number of outline

B. Please state which reserved matters are

this application

Now complete Part 4 only

or This is an application for **renewal** of temporary

or **continuation** without complying with planning

A. Please state reference Number of previous

B. Please state Condition Number referred to

Now complete an Ownership Certificate

or This is an application for **modification** of a

planning permission which has not yet been

A. Please state Reference Number of previous

B. Please state Condition Number referred to

C. Please state variation required

Now complete an Ownership Certificate

Now complete Parts 3 and 5 and an Ownership Certificates

TYPE OF DEVELOPMENT

3. A. Please state the type of development applied for: (Tick one or more boxes)

	✓	If so, how many: 1 BUNGALOW

4. A. Please state site area (in all cases) — 0·078 hectares

B. If building works are proposed, please state extra floor space to be created — sq. metres

C. Please state size of any new structure: (a) max. height: — metres; (b) max. length: — metres; (c) max. width: — metres

D. Please state type and colour of materials for facing external walls: —

E. Please state type and colour of roofing materials: —

F. Has a survey of the site been undertaken? State Yes or No: YES

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing use or vacant (the last use(s) of site: AGRICULTURAL

ACCESS TO ROADS (VEHICULAR AND PEDESTRIAN) Please tick one box

A. There will be no new access to the road and no alteration to any existing access to the road: ✓

or

B. There will be a new access to a public road: ➡ If so, name of road: / Will there be — Individual access(es): / New estate road:

C. What provision is made for parking or garages or parking within the site: —

TREES Please tick one box

A. The proposal does not involve the felling of any trees: ✓

B. The proposal does involve the felling of one or more trees: ➡ If so, please show details on plans.

DRAINAGE

A. Please state how surface water will be disposed of: RWS.

B. For estate developments, please state how highway surface water will be disposed of: —

C. Please state if any watercourses will be affected: NO

D. Please state how foul sewage is to be disposed of.

Mains sewer / Cesspool: ☐ Septic tank: ✓

PLEASE COMPLETE IN ALL CASES

	State Yes or No	
The proposal involves the use of land for agriculture	YES	➡ If so, please give details in Part 6
The proposal involves the use of land for forestry	NO	
The proposal involves the use of land for peat extraction	NO	
The proposal involves the reclamation of unreclaimed or filled land	NO	
The proposal is for the provision of residential, industrial, business, recreational, commercial, offices, shopping or social and community purposes	NO	➡ If so, please complete Part 7
In cases where the proposal is a development which would be required, please state the date on which a copy of the application was sent to the consultee(s) and the date sent:	NO	➡ Date: / Consultee(s)
Is this application a resubmission of a previous application?	NO	➡ Application No.

6. ANY OTHER INFORMATION Please add any details you wish in support of your application.

Continue on separate sheet if necessary: SEE ADDITIONAL LETTER FROM N.F.U. + LETTER OF SUPPORT TO FOLLOW.

INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS Please complete if appropriate

[illegible] one box and complete B if necessary

[illegible] does not involve any alteration in existing floorspace [ ]

[illegible] involves the creation of or an alteration in total **gross** [ ]

[illegible] floorspace [ ] sq. m. Previous total gross floor space [ ] sq. m.

[illegible] includes the following net floorspace:

[illegible] Office [ ] sq. m. Industrial [ ] sq. m. Warehousing [ ] sq. m.

[illegible] ➡ If so, please state use

	Office Staff	Industrial staff	Other staff
[illegible] and other staff will be employed [illegible] the development proposed? [illegible] on the site, how many of the [illegible] staff?			
[illegible] staff from other premises please [illegible] involved and of the premises.			
[illegible] development, give a description [illegible] carried out and of the end products [illegible] to be installed.			
[illegible] of a larger scheme for which [illegible] at present sought, please give [illegible] about the ultimate development			
[illegible] in existing use on or near the site?	State Yes or No [ ]		
[illegible]			
[illegible] existing premises in this area [illegible] become obsolete, inadequate [illegible]	State Yes or No [ ]		
[illegible] gross floor area of such [illegible] in respect of those			
[illegible] made for the parking, loading [illegible] within the curtilage of the site? [illegible] such provision on the plans [illegible] parking for operational needs and [illegible]			
[illegible] traffic flow to the site [illegible] day? (Please include all vehicles [illegible] individual employees driving to work)			
[illegible] and proposed means of [illegible] effluents or trade refuse?			
[illegible] the use of storage of any [illegible]	State Yes or No [ ]	If yes, you may need to apply for Hazardous Substances Consent	
[illegible] made for access to premises [illegible]			

[redacted]

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE SECTIONS.

1. **APPLICANT'S INTEREST**
Please state interest in site (e.g. owner, prosp. purchaser)
(Please remember to indicate on the location plan any other land under your control).

OWNER

2. **OWNERSHIP OF THE SITE**

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site,** complete **Certificate A.**
In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B.** (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

Certificate A Nobody except the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Signed Stephen Thorne ~~(Applicant~~ / Agent) Date 27/04/01

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the ~~accompanying application~~.
Owner's Name:
Address of owner at which notice was served: State Date notice served:

Signed ..... (Applicant / Agent) Date .....

3. **AGRICULTURAL HOLDINGS CERTIFICATE**

If the land is not in agricultural use complete Certificate 1.
If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.
If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1 None of the land to which the application relates is or is part of any agricultural holding.

Signed Stephen Thorne ~~(Applicant~~ / Agent) Date 27/04/01

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates.
Tenant's Name:
Address of tenant at which notice was served: State Date notice served:

Signed ..... (Applicant / Agent) Date .....

SOUTH HOLLAND DISTRICT COUNCIL

APPLICATION FOR AGRICULTURAL DWELLING

An application for an agricultural dwelling must be accompanied by this Questionnaire, duly completed. The purpose of the Questionnaire is to obtain information which will enable the Authority to determine whether a need for an agricultural dwelling has been conclusively shown.

The application must also be accompanied by an assessment of the agricultural need prepared by a professional party or agency, together with a business plan. The latter should also be prepared by an independent party or agency.

This Questionnaire could, in fact, be completed by those engaged in preparing the assessment of the need and/or the business plan.

Please note that not all the questions given below may be appropriate. However, all those which do have a bearing upon the application should be answered.

If you experience difficulty in answering any of the questions, please do not hesitate to contact the Planning Department of this Authority.

SHDC
Planning & [illegible]
13 JUN [illegible]
Ref S45/02

QUESTIONNAIRE

A. **Particulars of Existing Holding**

1 Please specify type of holding -

Arable ✓
Horticulture ✓
Intensive Livestock
Fish Farming
Any other

2 Please specify total area of holding (please indicate size of parcels of land if physically distinct and separated from each other by other land not in your ownership) -

22.00 HA.

Parcels of Land on Map.
GRB/1/02
GRB/1A/02

Please enclose a map to a recognisable scale showing the extent of the holding.

3 Please give details of acreage owned or tenanted -

5.7 Acres.
16.00 Tenancy.

Please note that if the land is not held on a secure basis e.g. mowing or grazing licence, the business may not be sustained for a reasonable period.

4 Please give details of any cropping with acreages.

Currently 2.6 Bulbs + Plants.
16.00
2.4.

Please indicate amount of quota if applicable and area and location of land set aside -

Please specify what markets the crops are grown for - stock feed, human consumption, etc -

Varies Annually.

Please indicate areas of grassland and whether the grassland is temporary or permanent and conserved for hay or silage -

None

5 Please give details of numbers of livestock if any - numbers should be supplied of type (cattle, sheep, pigs, etc) and further broken down into breeding and other animals.

None

Please supply details of quotas if animals are produced for sale, please indicate: -

(a) Average numbers on holding at any one time.

(b) Numbers produced per annum, age and weight at sale.

(c) For which market they are produced for.

6 Please give details of persons employed - please specify the tasks or role of each employee -

Full-time 2
Part-time all year 1
Seasonal

Please give details of their home location and its distance from the agricultural holding -

2. on Premises.

1 Part time - 3 miles.

7 Please give details of husbandry practices which significantly add to the functional requirements e.g. pedigree stock, high value crops, automatic equipment for watering, feeding or ventilation, carving patterns, etc -

N/A.

8 Please describe any housing systems which may be labour intensive e.g. cow sheds as opposed to loose housing -

N/A.

9 Please specify any special marketing or other arrangements which may add to labour requirements or lead to unsocial hours -

UNSOCIAL HOURS ESSENTIAL i.e. SUNDAY CROPPING & MARKETING OF CROPS PRODUCED ON THIS HOLDING.

10 Please give details of any existing dwellings on the holding (who occupies them and on what tenure) and whether any dwellings have been sold separately from the holding in the last five years -

TWO BEDROOMED OCCUPIED BY BUNGALOW

ER. BAILEY & SON.

11 Please specify size and use of existing agricultural buildings on the holding and show their location on a scaled plan. Details should also be supplied of any recent investments in farm buildings, etc -

DERELICT WOODEN BARN REPLACED BY GENERAL PURPOSE FARM BUILDING 1038

12 Please give details of any fixed equipment -

NONE

13 Please give details of services (electricity, water, sewage disposal) and any waste handling systems and storage -

ELECTRICITY.

WATER

SEPTIC TANK.

14 Please specify whether there is any storage of chemicals (fertilisers, pesticides, herbicides and insecticides) on the holding -

YES STORAGE FACILITY FOR SMALL QUANTITY OF FERTILISERS, PESTICIDES, HERBICIDES & INSECTICIDES.

15 Please give details of theft or vandalism which may occurred on the holding in the last 5 years. Have an incidents been reported to the Police?

1 BREAK IN - THEFT OCCURRED - REPORTED TO POLICE.

NOTE: This information may contribute to the applicants case but will not, by itself, be sufficient to justify a new dwelling.

16 Please give details of any diversification or non-agricultural enterprises (if any) on the holding -

NONE.

B **Particulars of Proposal**

The Proposed Dwelling

1 Please state who is intended to occupy the proposed dwelling and what is their current occupation -

FAMILY MEMBER / DAUGHTER & FAMILY.

2 Please state where that person currently resides -

GLOVES DAWSMERE.

3 Please state whether the proposal is intended to replace an existing dwelling -

NO

4 If so, please state where the existing dwelling is located and why it is non-suitable for the applicants needs -

5 Please state what is intended will happen with the existing dwelling -

6 Please state why the proposed dwelling is needed -

(a) New agricultural/horticultural. REFER TO ATTACHED LETTER ERB/2/02
(b) Changes in nature of business.
(c) Changes in management.

7 Please state the proposed ground floor area of the proposed dwelling and why a dwelling of the particular size and type is required -

FAMILY OF FOUR.

8 Please state why it is necessary for the proposed dwelling to be built in the location proposed -

REFER TO ATTACHED LETTER.
ERB/2/02

9 If security or additional security is one of the reasons for the dwelling, please provide details as to why it is considered security will be a problem or present a difficulty -

10 Please state whether consideration has been given to any alternative form of residential accommodation on the site pending the establishment of the agricultural enterprise on a firm and viable basis -

EVERYTHING CONSIDERED - BUT NO ALTERNATIVE CONSIDERED SUITABLE & SATISFY THE CIRCUMSTANCES.

Personal Circumstances

1 Has the applicant any experience or formal training and/or qualifications in agriculture? Please provide details -

APPLICANT & FAMILY MEMBER/RESIDENT OF PROPOSED DWELLING.
HORTICULTURAL QUALIFICATIONS, BROUGHT UP ON THE HOLDING: HELPED ON THE HOLDING THROUGHT CHILDHOOD, FRUIT FARMING QUALIFIED IN GLASS HOUSE HUSBANDRY.

2 Has professional advice been taken in setting up the agricultural enterprise? If so, please provide details - (Your attention is drawn to the fact that the application for an agricultural dwelling must be accompanied by an assessment of the agricultural need prepared by a professional party or agency) -

The Proposed Agricultural Holding

1 Please state type of holding -

Arable
Horticulture
Intensive Livestock
Fish Farming
Any Other

2 Please give total area of holding (Please indicate size of parcels of land if physically distinct and separated from each other by other land not in applicants ownership) -

Please enclose a map to a recognisable scale showing the extent of the holding.

3 Please give details of acreage owned or tenanted -

AS BEFORE.

Please Note that if land is not held or likely to be held on a secure basis e.g. mowing or grazing licence, the proposed business may not be sustained for a reasonable period.

4 Please give details of any cropping with acreages -

Please indicate intended markets for the crops -

VARIES WITH DEMAND

Please indicate areas of intended grassland and whether grassland will be temporary or permanent -

NONE

Please indicate intended areas of woodland -

NONE

5 Please give details of intended numbers of livestock (if any), specifying type and those to be used for breeding purposes. If the livestock are intended, ultimately, for sale, please indicate which markets they will be produced for -

NONE AT PRESENT

6 Please give details of persons to be employed on the holding - please specify the intended tasks or role of each employee -

Full-time 2 / HORTICULTURAL / ARABLE.
Part-time all year /
Seasonal

Please give details of their present home location and distance from the intended holding -

2 FULL AT RES. ON HOLDING.
1 PARTIME ALL YEAR
GODNEY DAWSMERE - 9 MLS.

7 Please give details of intended husbandry practices which may involve specific functional requirements e.g. pedigree stock, high value crops, etc -

IT IS INTENDED TO CARRY ON WITH CURRENT PRACTICES.

8 Are any housing systems intended which may be labour intensive - such as cow sheds as opposed to loose housing? If so, please specify -

N/A.

9 If any special marketing or other arrangements are envisaged which may entail unsocial hours of working or involve specific labour requirements, please specify -

UNSOCIAL HOURS ESSENTIAL IE SUNDAYS CROPPING & MARKETING OF CROPS PRODUCED ON THIS HOLDING.
MANAGEMENT OF HEATING &

10 If the proposed holding is an extension of an existing holding, please show on a scaled map the relationship of the extension to the existing holding - NO

11 If new agricultural buildings are intended to be erected, please specify size and specific use and show their location on a scaled map - NOT AT PRESENT

12 Please give details of any fixed equipment which it is intended to install -

N/A.

13 Please give details of the intended services (electricity, water, sewage disposal) and any intended storage of waste.

ELECTRICITY, WATER & SEWER BY S. TANK.

14 If a programme for the erection of agricultural buildings is involved, please give details of time-scale -

NO PROGRAMME OF AGRICULTURAL BUILDINGS BEING PROPOSED. EXPANSION OF GLASS COVERAGE BEING CONSIDERED.

15 If irrigation or temperature controlled facilities are envisaged, please give details -

~~NOT~~ HEATING WHEN REQUIRED.

16 Are any crops/livestock envisaged which require essential care at short notice? If so, please give details -

YES NORMAL IN GLASSHOUSE HUSBANDRY.

17 If it is intended to store chemicals (fertilisers, pesticides, fungicides, herbicides and insecticides) please specify details -

AS 14-A

Financial Considerations

1 Please ensure an independent business plan of the proposed new or expanded agricultural enterprise (this should form part of the assessment of the agricultural need supplied by the professional agent) is provided giving details of anticipated annual turnover, overheads and net profits.

Note: Annexe E (paragraphs E5 and E9) of Planning Policy Guidance Note No. 7 "The Countryside and the Rural Economy" January, 1992, states that a functional test in regard to agricultural need will be necessary in all cases and that where a functional test alone is not conclusive it may be appropriate also to supply a financial test.

Thus, while the Authority would expect a business plan to be submitted with the application, it reserves the right to request the submission of financial information of a more detailed nature for such information may be an important element in establishing that intentions to engage in farming enterprise are genuine and are likely to be capable of being sustained for a reasonable period of time.

2 Please specify degree of financial commitment to the proposed new or expanded agricultural enterprise. Has a residential or commercial mortgage has been sought? Please give details -

3 Please indicate whether the business plan has been endorsed by the Financial Institution providing the loan facilities -

4 It is normal practice for the Local Planning Authority in granting planning permission for an agricultural dwelling to oblige the applicant to enter into a Section 106 Obligation - a <u>legal</u> agreement or contract limiting the occupation of the dwelling to a person employed in agriculture or forestry and if need be, preventing the separation of the holding from the dwelling. Has a check been made to establish whether planning conditions or a Section 106 Obligation would entail a problem with regard to mortgage availability? If no check has been made, it is considered advisable one should be made and this Authority advised of the outcome.

<u>Note</u>: For your assistance, a draft of a standard Section 106 Obligation is enclosed with this Questionnaire.

You may if you wish, add any further information which you consider relevant to the issue of an agricultural need for the proposed dwelling.

SEE ATTACHED ERB/2/02

(6) The Council is the local planning authority by whom the planning obligation is enforceable.

NOW THIS DEED made in pursuance of section 106 of the Town and Country Planning Act 1990 WITNESSETH as follows

1. The Owner hereby agrees to enter into the planning obligation specified in the Second Schedule hereto

2. This planning obligation is a local land charge and shall be registered as such

3. The expressions "the Council" and "the Owner" and "the Bank" shall include their successors in title.

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written

FIRST SCHEDULE

(Details of "the Land")

The land situate at shown edged blue on the plan annexed hereto

SECOND SCHEDULE

(The Planning Obligation)

The owner (with the consent of the Bank evidenced by its execution hereof) hereby covenants that the development shall permanently remain part of the horticultural/agricultural unit comprising the blue land of which it forms an integral part and shall not be occupied except by the owner manager or an employee of that horticultural/agricultural unit

THIS DEED is made the day of One thousand nine hundred and BETWEEN THE SOUTH HOLLAND DISTRICT COUNCIL of Council Offices Priory Road Spalding in the County of Lincolnshire (hereinafter called "the Council") of the one part and of in the County of Lincoln (hereinafter called the "Owner") of the second part (and BANK (hereinafter called"the Bank") of the third part)

RECITALS

(1) The Council is the local planning authority for the area within which the land described in the First Schedule ("the Land") is situated

(2) .The Owner is the owner in fee simple in possession (free from incumbrances) of the Land (subject to a mortgage dated the
in favour of the Bank)

(3) The Owner has by application by its agents dated the day of One thousand nine hundred and ("the Planning Application") applied to the Council for planning permission for shown edged red on the plan annexed hereto in accordance with the plans and particulars supplied therewith under planning reference ("the Development")

(4) The obligation created by this Deed is a planning obligation for the purposes of section 106 of the Town and Country Planning Act 1990.

(5) The Council has decided to grant (conditional) planning permission for the Development subject to the creation of this obligation without which planning permission for the Development would not have been granted.

THE COMMON SEAL of THE SOUTH)
HOLLAND DISTRICT COUNCIL was)
hereunto affixed in the presence of)

Chairman of the Council

Director of Administration

SIGNED AS A DEED by the said

in the presence of:-

Witness

Address

Occupation

The COMMON SEAL of

BANK was hereunto affixed in

the presence of